

FORM PTO-1390
(REV 3/2001)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

DATE: November 22, 2004

EXPRESS MAIL LABEL NO.
EV326708639US

ATTORNEY DOCKET NO.
52744/OSB/E303

U.S. APPLICATION NO.
10/500,188

INTERNATIONAL APPLICATION NO.
PCT/EP02/14655

INTERNATIONAL FILING DATE
20 December 2002

PRIORITY DATE CLAIMED
28 December 2001

TITLE OF INVENTION
DELAYED MEMORY DEVICE

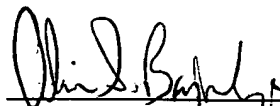
APPLICANT(S) FOR DO/EO/US
Jan Otto Solem et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/LUS).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ A copy of the International Search Report (PCT/ISA/210).
8. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 13 to 20 below concern document(s) or other information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ **SMALL ENTITY** Assertion: Applicant(s) and any other associated with it/them under 37 CFR § 1.27(a) are a small entity.
20. ☒ Certificate of Mailing by Express Mail.
21. ☒ Other items or information: Copy of Notice of Missing Requirements

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/500,188		INTERNATIONAL APPLICATION NO. PCT/EP02/14655		ATTORNEY DOCKET NO. 52744/OSB/E303							
22. The following fees are submitted: <div style="margin-top: 5px;"> <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO: \$1,110.00 </div> <div style="margin-top: 5px;"> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$950.00 </div> <div style="margin-top: 5px;"> <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$790.00 </div> <div style="margin-top: 5px;"> <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$750.00 </div> <div style="margin-top: 5px;"> <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 </div>				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="padding: 2px;">CALCULATIONS</th> <th style="padding: 2px;">PTO USE ONLY</th> </tr> <tr><td style="height: 100px;"></td><td></td></tr> </table>		CALCULATIONS	PTO USE ONLY				
CALCULATIONS	PTO USE ONLY										
ENTER APPROPRIATE BASIC FEE AMOUNT = \$											
Surcharge of \$130 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$							
Claims	Number Filed	Number Extra	Rate								
Total Claims	-20=		X \$18								
Independent Claims	-3=		X \$88								
Multiple dependent claim(s) (if applicable)			+ \$300								
TOTAL OF ABOVE CALCULATIONS = \$											
Reduction by 1/2 for filing by small entity, if applicable. Verified Small entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				\$							
SUBTOTAL = \$											
Processing fee of \$130 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$							
TOTAL NATIONAL FEE = \$											
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$							
TOTAL FEES ENCLOSED = \$											
Note (1): The basic national fee must be paid when filing this application. The 20-month time limit (37 CFR § 1.494) and 30-month time limit (37 CFR § 1.495) are not extendable.				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Amount to be:</td> <td style="padding: 2px;">\$</td> </tr> <tr> <td style="padding: 2px;">Refunded</td> <td style="padding: 2px;"></td> </tr> <tr> <td style="padding: 2px;">charged</td> <td style="padding: 2px;">\$</td> </tr> </table>		Amount to be:	\$	Refunded		charged	\$
Amount to be:	\$										
Refunded											
charged	\$										
<input type="checkbox"/> A check in the amount of \$ ___ to cover the above fees is enclosed.											
<input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.											
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>03-1728</u> . A duplicate copy of this sheet is enclosed.											
NOTE (2): Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (h)) must be filed and granted to restore the application to pending status.											
SEND ALL CORRESPONDENCE TO:											
<div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> Oliver S. Bajracharya CHRISTIE, PARKER & HALE P.O. Box 7068 Pasadena, CA 91109-7068 CUSTOMER NUMBER: 23363 </div> <div style="width: 35%; text-align: center;"> By  Oliver S. Bajracharya Reg. No. 55,905 </div> </div>											



UNITED STATES PATENT AND TRADEMARK OFFICE

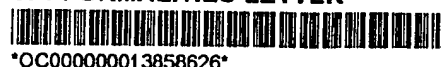
UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/500,188	Jan Otto Solem	52744/MEG/E303

30452
 EDWARDS LIFESCIENCES CORPORATION
 ONE EDWARDS WAY
 IRVINE, CA 92614

INTERNATIONAL APPLICATION NO.	
PCT/EP02/14655	
I.A. FILING DATE	PRIORITY DATE
12/20/2002	12/28/2001

CONFIRMATION NO. 5341
371 FORMALITIES LETTER



OC000000013858626

Date Mailed: 09/22/2004

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/25/2004
- Copy of the International Search Report filed on 06/25/2004
- Copy of IPE Report filed on 06/25/2004
- Preliminary Amendments filed on 06/25/2004
- Oath or Declaration filed on 06/25/2004
- Request for Immediate Examination filed on 06/25/2004
- U.S. Basic National Fees filed on 06/25/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 305-3686

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/500,188	PCT/EP02/14655	52744/MEG/E303

FORM PCT/DO/EO/905 (371 Formalities Notice)